



**POLICE BRUTALITY AGAINST
WOMEN OF COLOR & TRANS PEOPLE OF COLOR:**
A CRITICAL INTERSECTION OF GENDER VIOLENCE & STATE VIOLENCE

IMMIGRATION ENFORCEMENT

Law Enforcement Violence Against Migrant Women and Transpeople

Law enforcement violence against migrant women and transpeople—including sexual abuse—is enabled by U.S. immigration policy. The U.S. government’s strategy of militarization of the U.S.-Mexico border, and anti-immigrant interior enforcement through the use of raids, expansion of immigration detention facilities, and collaboration between federal immigration enforcement and local police agencies creates an environment where immigrant women are vulnerable to violence and sexual assault.

Background Facts

Women and Migration. The International Organization for Migration estimates that there are over 192 million migrants in the world today, over 3% of the world’s total population. Over 95 million of these migrants are women. In the U.S., over 55% of immigrants—both documented and undocumented—are women.

Anti-Immigrant Law Enforcement. During the past fifteen years, the U.S. government has increased its spending on anti-immigrant law enforcement almost tenfold since 1993 (\$1.5 billion: INS). In 2008, President Bush’s budget called for a total of \$13.6 billion for anti-immigrant law enforcement. This total included \$8.8 billion to hire 17,800 border patrol agents, and provide for the construction of 370 miles of fencing along the U.S.-Mexico Border.

Violence at the Border

“Rape is so common it’s viewed as the price of admission to America. Some even take birth control before crossing to avoid pregnancy...”

Violence against migrant women at the border is not random or isolated: as representatives of the UN Development Fund for Women report, at least 60 to 70% of undocumented women migrants who cross the border alone experience sexual abuse. The danger is even greater for migrants from Central American countries, who must pass through two militarized borders—between Guatemala and the U.S. and between Mexico and the U.S. Sexual violence often occurs while being robbed, as “payment,” or in exchange for not being apprehended or detained by immigration authorities.

- *On September 3, 1993, Juanita Gomez and her female cousin crossed the border between Nogales, Sonora, and Nogales, Arizona to meet two male friends to go shopping. Larry Selders, a Border Patrol Agent, stopped all four people, but only detained Gomez and her cousin. Selders then told Gomez and her cousin that he would not take them to the Border Patrol department for deportation if they would have sex with him; after both women refused, he raped Gomez.*



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Violence in the Interior

Since 1996, the U.S. government has engaged in what it views as a “comprehensive interior enforcement strategy.” The objective: to “protect” communities by identifying and deporting individuals in violation of immigration laws in non-border areas. Immigration law enforcement officials have conducted raids at schools, shopping centers, and workplaces, sweeping the area for undocumented immigrants. In addition, the federal government has begun to enter into “memorandums of understanding” with local police offices, deputizing local law enforcement agencies to act as immigration agents. In 2008, President Bush’s immigration budget called for \$4.8 billion for interior enforcement of immigration law, which included funds to train state and local law enforcement officials in immigration enforcement. The increasing presence of immigration law enforcement in the interior lead women of color to see law enforcement agents and the criminal legal system as further threats to their safety.

- *INS officer James Riley was arrested in May 1990, after conducting an unauthorized immigration “one-man raid at gunpoint at a Van Nuys bar.” Riley abducted and raped a 24-year-old woman from the bar after telling her that she was under arrest for lacking legal documents to be in the United States. One month later, over seventeen women had filed charges against him, recounting similar abuse.*
- *Fear of deportation was identified as the primary reason that 64% of undocumented women in a San Francisco study did not seek social services.*

Violence in Immigration Detention

In 1996, Congress passed immigration reform legislation that led to the explosion of the immigration detention system. It is now the fastest-growing incarceration program in the country, leading the rapid expansion of the prison-industrial complex in the U.S. In 2005, the Department of Homeland Security detained 237,667 individuals: an average of 19,619 per day.

- *Christina Madraso, a transsexual woman, sought asylum in the U.S. after being badly beaten for her gender identity in Mexico. However, her nightmare began when she was detained in the Krome Service Processing Center, where she was placed in the men’s ward, and faced harassment by guards and other detainees. She was then transferred into an isolation unit, where she was then sexually assaulted twice by the same guard. After the second rape, INS officials told her that she could either transfer to a mental institution, county prison, or give up her asylum claim.*
- *A Chinese immigrant woman miscarried her twins after she appeared for a routine interview with Immigrations and Customs Enforcement (ICE) officials, and unexpectedly became subject to a violent deportation attempt. Another pregnant immigrant woman from Cameroon miscarried while she was under ICE custody after her requests for medical care went ignored for two days.*